

REMARKS

Upon entry of the foregoing Amendment, claims 28-34, 37-48, 50-56, 60-61, and 63 are pending in the application. By the foregoing Amendment, claims 28, 38, 39, 51, and 61 have been amended; claims 35, 36, 57-59 and 62 have been cancelled without prejudice or disclaimer; and new claim 63 is added. Applicants believe that this Amendment does not add new matter. In view of the foregoing Amendment and following Remarks, allowance of all the pending claims is requested.

By the foregoing Amendment, Applicants have amended and/or cancelled various claims solely for purposes of expediting prosecution of this Application. Applicants expressly reserve the right to prosecute the subject matter of any claim pending prior to the foregoing Amendment, or any other subject matter supported by the Specification, in one or more continuation and/or divisional applications.

Examiner Interview

Applicants would like to thank Examiner Dinh for extending Applicants' representatives the courtesies of an Examiner Interview on July 13, 2009. During the interview, Applicants' representatives discussed the pending rejections based on Keyson in view on the pending claims and the proposed amendment as set forth in additional detail below.

Double Patenting Rejection

The Examiner has rejected claims 28-48 and 50-62 on the grounds of nonstatutory double patenting over claims 1-28 of U.S. Patent No. 6,707,443. During the Examiner Interview, Applicants pointed out that a Terminal Disclaimer was previously filed on July 5, 2007, thereby rendering this rejection moot.

Rejection Under 35 U.S.C. § 112, First Paragraph

The Examiner has rejected claims 28-62 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicants traverse this rejection because the claims are supported by the Specification.

Specifically, the Examiner alleges that the Specification and Drawings fail to support the feature of "the haptic feedback being a force applied the actuator orthogonally to a surface of the sphere" as recited for example in claim 28. Applicants traverse this rejection as the Specification and Drawings support this feature at, for example, page 22, lines 6-17, and Figure 2.

Nonetheless, solely for purposes of expediting prosecution of this Application and expressly not for purposes of overcoming this rejection, Applicants have amended the claims thereby rendering this rejection moot.

Objection to the Drawings

The Examiner has rejected the drawings under 37 CFR 1.83(a). Specifically, the Examiner alleges that "the actuator configured to output haptic feedback to the sphere" is not illustrated in the Drawings. Applicants traverse this objection as the Drawings in connection with the Specification support this feature of the claims. For example, Figure 2 in view of the Specification at page 22, lines 6-17 sufficiently illustrates this feature of the claims. Accordingly, Applicants request that the Examiner reconsider and withdraw this objection to the Drawings.

Rejection Under 35 U.S.C. § 102

The Examiner has rejected claims 28-33, 37-43, 46-49, 50-54 and 58-62 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,784,052 to Keyson ("Keyson"). Applicants traverse this rejection for at least the reason that Keyson fails to disclose all the features of the claims pending prior to the foregoing Amendment.

Nonetheless, solely in an effort to expedite prosecution of this Application and expressly not for purposes of overcoming this rejection, Applicants have amended the claims. As discussed during the Examiner Interview, Keyson does not disclose at least the features of "at least one roller coupled to the sphere" and "an actuator coupled to the housing and configured to output haptic feedback to the sphere by vibrating the at least one roller" as recited in claim 28 for example. During the Examiner Interview, the Examiner acknowledged that Keyson does not disclose at

least these features of the claimed invention. For at least this additional reason, the rejection of claim 28 must be withdrawn.

Claims 39 and 51 recite similar features to those discussed above with regard to claim 28. For at least the reasons set forth above with regard to claim 28, the rejection of these claims must also be withdrawn.

Claims 29-34, 37, 38, 40-48, 52-56, 60 and 61 depend from and add additional features to claims 28, 39, or 51. The rejections of these dependant claims must be withdrawn for at least the reasons set forth above with regard to the claims from which they depend.

Rejection Under 35 U.S.C. § 103

The Examiner has rejected claims 34-36, 44, 45, 56 and 57 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Keyson in view of U.S. Patent No. 7,024,625 to Shalit ("Shalit"). Applicants traverse this rejection for at least the reason that Shalit fails to address the deficiencies of Keyson as discussed above with regard to the claims from which these claims depend. Hence, the references relied upon by the Examiner, either alone or in combination with one another fail to teach or suggest all the features of the claims. For at least this reason, the rejection is improper and must be withdrawn.

New Claim

New claim 63 includes the feature of "an actuator coupled to the housing, wherein the actuator comprises at least one moving portion that is configured to output haptic feedback to the sphere by impacting the sphere with the at least one moving portion." At least this feature is not disclosed, taught or suggested by the references relied upon by the Examiner, either alone or in combination with one another.

